

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

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IOWA STATE UNIVERSITY OF SCIENCE :
AND TECHNOLOGY,

Opposer, :

v. : Opposition No. 91160947

BROOKLYN BASEBALL COMPANY, LLC, :

Applicant. ;

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APPLICANT'S MOTION FOR FURTHER SUSPENSION WITH CONSENT

Applicant hereby moves for a further thirty day extension of the close of discovery from September 8, 2006 until October 8, 2006 and a further extension of applicant's time to answer from August 8, 2006 until September 7, 2006. The attorney for opposer has consented to and joins in this motion.

The grounds of this motion are as follows:

- (1) The parties have been engaged in negotiations for the settlement of this opposition and of co-pending opposition No. 91153907 for a considerable period of time.
- (2) For most of this time, these negotiations were bogged down over opposer's proposal to use a license agreement as a settlement vehicle and the difficulties in finding the form of such an agreement which applicant could accept.
- (3) Applicant then proposed to opposer the use of a consent and co-existence agreement as the settlement vehicle instead of a license agreement, and opposer has only recently agreed to

this proposal.

(4) Just today, opposer's counsel submitted to applicant's counsel an "Outline of Deal Points for Iowa State University – Brooklyn Cyclones" which appears to form the basis for a settlement of both the instant opposition and co-pending Opposition No. 9115307.

(5) The attorneys for the parties agree that the filing of an answer with its possible counterclaims could prejudice their ability to finalize the proposed settlement.

(6) The attorneys for the parties also believe that they should be able to complete their settlement negotiations within thirty days.

(7) Brooklyn Baseball Company, LLC as secured the express consent of all of the other parties to this proceeding for the suspension requested herein.

(8) Brooklyn Baseball Company, LLC has provided an email address for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

(9) The undersigned certifies that a copy of this motion has been served upon all parties at their address of record by first-class mail, postage prepaid on this date.

WHEREFORE, it is respectfully requested that the close of discovery be further extended from September 8, 2006 until October 8, 2006 and that applicant's time to answer be further extended from August 8, 2006 until September 7, 2006. .

Dated: New York, New York
August 8, 2006

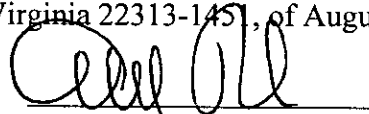


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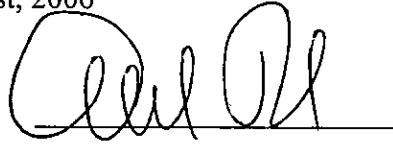
“Express Mail” Mailing Label Number EV 604915717 US. I hereby certify that this paper is being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service under 37 CFR 1.10 on the date indicated below and addressed to the Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451, of August 8, 2006.

A handwritten signature in black ink, appearing to read 'Albert Robin', written over a horizontal line.

Albert Robin
August 8, 2006

Certificate of Service

A copy of the foregoing Applicant's was served b first-class mail, postage prepaid, upon
Jed Ferdinand, attorney for Opposer, at Grimes & Battersby, LLP, 488 Main Avenue, Suite 300,
Norwalk, CT 06851, this 8th day of August, 2006

A handwritten signature in black ink, appearing to be "Jed Ferdinand", written over a horizontal line.

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